



United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

June 27, 2022

VIA ECF

Honorable Paul G. Gardephe
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: ***United States v. Mathew Martoma*** 12 Cr. 973

Dear Judge Gardephe:

MEMO ENDORSED: The Clerk of Court is directed to remove Nicholas Folly as counsel of record.

SO ORDERED.

Paul G. Gardephe
United States District Judge

Date: October 10, 2024

On February 6, 2014, defendant Mathew Martoma was convicted by a jury of securities fraud and conspiracy. On September 9, 2014, the Court entered a Preliminary Order of Forfeiture as to Specific Property/Money Judgment (Dkt. 338) which imposed a money judgment against the defendant in the amount of \$9,380,322 and forfeited the defendant's interest in several bank accounts and real property (the "Specific Property"). Thereafter, on October 15, 2014, a Third-Party Petition (the "Petition") was filed by the defendant's wife, Rosemary Martoma, ("Petitioner") claiming an interest in the Specific Property (Dkt. 325). No other claims or petitions have been filed with respect to the Specific Property.

On January 9, 2015, the Government filed a Motion to Dismiss the Petition ("Motion to Dismiss"), which Petitioner opposed, and the matter was fully briefed¹ by both sides. However, that motion still remains pending. Accordingly, for the reasons set forth in the Government's underlying Motion to Dismiss, the Government respectfully requests that the Court grant to the Government's motion and dismiss the Petition.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: /s/
Nicholas Folly
Assistant United States Attorney

¹ A Memorandum in Opposition was filed by Petitioner on February 27, 2015 (Dkt. 339); a Reply filed by the United States on March 13, 2015 (Dkt. 340); and a Sur-Reply filed by Petitioner on March 25, 2015 (Dkt. 342)